

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

ORLANDO MAYS,

Petitioner,

v.

No. 1:22-cv-01066-JDB-jay
Re No. 1:19-cr-10120-JDB-1

UNITED STATES OF AMERICA,

Respondent.

ORDER DENYING PETITIONER'S PRO SE REQUEST FOR LEAVE TO REPLY

The Petitioner, Orlando Mays, filed a counseled motion for relief under 28 U.S.C. § 2255 on April 18, 2022, (Docket Entry (“D.E.”) 1), to which the Government responded on August 9, 2022, (D.E. 11). In an order entered June 15, 2022, the Court instructed that "Petitioner may, if he chooses, submit a reply within twenty-eight days from the filing of the response." (D.E. 6.) On March 18, 2024, the Court docketed a document received from Mays in which he requested leave to "file a reply as a pro se litigant." (D.E. 13.)

The request is DENIED for two reasons. First, the docket reflects that he is still represented by counsel. There is no constitutional right to demand “hybrid representation.” *United States v. Mosely*, 810 F.2d 93, 98 (6th Cir. 1987). Second, pursuant to the Court's June 15, 2022, order, any request for permission to reply must have been filed within twenty-eight days of the Government's August 9, 2022, response. (*See* D.E. 11). Petitioner placed the instant motion into the prison mail system on February 21, 2024, nearly a year and a half after the due date to file a reply expired. (*See* D.E. 13-1.)

IT IS SO ORDERED this 19th day of March 2024.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE